

Notice of Allowability

Application No.

10/081,276

Examiner

George R. Koch III

Applicant(s)

STAUFER ET AL

Art Unit

1734

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 1/8/2004.
2. ☒ The allowed claim(s) is/are 1-31.
3. ☒ The drawings filed on 1/8/2004 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

THIS THREE-MONTH PERIOD IS NOT EXTENDABLE

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
6. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892) | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6. <input type="checkbox"/> Interview Summary (PTO-413),
Paper No./Mail Date _____. |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),
Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit
of Biological Material | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9. <input type="checkbox"/> Other _____. |

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

The application has been amended as follows:

Claim 23, line 7, delete "n", insert --in--

This amendment is merely to correct an obvious misspelling. The originally filed claims included the correct spelling.

Drawings

2. The drawings were received on 1/8/2004. These drawings are approved.

Allowable Subject Matter

3. Claims 1-31 are allowed.
4. The following is an examiner's statement of reasons for allowance:
5. With respect to claims 11-14, 16, 18-19 and 26-27, see the reasons for allowance in the office action mailed 10/02/2003.

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6. With respect to claims 15 and 17, this claim is dependent on previously claim 14 and has been allowed for the same reasons. With respect to claim 28, this claim is dependent on previously allowed claim 26 and has been allowed for the same reason.

7. With regard to claims 1-10, 12, 20-22, 23-25 and 29-31, applicant's remarks filed 1/8/2004 are considered persuasive. The examiner agrees that there is no reasonable motivation for combining the teachings of Sanchez (5,197,629) with Simonotti (US 4,361,086) and Tsukasaki (US 4,363,478). Furthermore, as correctly pointed out in the remarks filed 1/8/2004, the stack is fixed, i.e., not movable as stated in the office action mailed 10/2/2003. Therefore, the invention of the current application is an improvement over the prior art. In claims 1-10, 12, 23-25, the improvement consists of the receptacle being mounted in the housing for movement between a first position where the receptacle is spaced adjacent one of the upper drive belts with the one of said upper drive belt out of engagement with a tape in said receptacle and a second position wherein the receptacle is position so that a portion of the drive belt extends in the slot and engages a tape in the receptacle and moves the tape from the receptacle. Similarly, with respect to claims 20-22, and 29-31 the improvement consists of the steps of moving the receptacle toward one of the drive belts or elements in the upper set until the one belt extends into the slot and engages a tape and pulls the leading edge of the tape from the receptacle through a tape discharge slot into the envelope feed system, and moving the receptacle away from the one drive belt or elements so that the one belt is out of contact with a tape in the receptacle when the leading edge of the tape is gripped by the envelope transport system.

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Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to George R. Koch III whose telephone number is (571) 272-1230 (TDD only). If the applicant cannot make a direct TDD-to-TDD call, the applicant can communicate by calling the Federal Relay Service at 1-800-877-8339 and giving the operator the above TDD number. The examiner can normally be reached on M-Th 10-7.

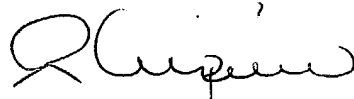
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Richard Crispino can be reached on (571) 272-1226. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



George R. Koch III
March 20, 2004



RICHARD CRISPINO
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 1700